

PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)  
The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

**OBJECTION DEADLINE: OCTOBER 16, 2021.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136.

**Application Number:** 41H 30143744  
  
**Applicant:** HOME 40 LLC  
1668 BUCKRAKE AVE  
BOZEMAN, MT 59718

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41H 15358-00	APRIL 30, 1881
Historical Flow Rate: 0.63 CFS	Historical Consumptive Volume: 39.19 AC-FT	
	Historical Diverted Volume: 68.37 AC-FT	
STATEMENT OF CLAIM	41H 15849-00	APRIL 30, 1881
Historical Flow Rate: 1.61 CFS	Historical Consumptive Volume: 100.15 AC-FT	
	Historical Diverted Volume: 174.73 AC-FT	

PAST USE OF WATER

HISTORICALLY, UP TO 2.24 CFS OF WATER WAS DIVERTED FROM MIDDLE (A.K.A., HYALITE) CREEK AND CONVEYED THROUGH THE HOY DITCH FOR IRRIGATION USE ON 114 ACRES IN THE SW OF SECTION 2, T3 S, R5 E, GALLATIN COUNTY.

PROPOSED CHANGE

**FLOW RATE:** 2.24 CFS **VOLUME:** 192.43 AC-FT **ACRES:** 87.05

THE APPLICANT IS RETIRING 26.95 ACRES TO OFFSET EVAPORATION AND A CAPACITY FILL FOR TWO STORAGE PONDS. THIS APPLICATION PROPOSES TO ADD TWO PLACES OF STORAGE, LOCATED IN THE SW AND THE SESESW OF SECTION 2, T3 S, R5 E. THE NEW PLACES OF STORAGE WILL BE IRRIGATION PUMPING PONDS FOR THE HOME 40 SUBDIVISION. THE STORAGE PONDS TOTAL 4.6 ACRES SURFACE AREA AND 23 AF CAPACITY. THE APPLICANT WILL RETIRE 6.56 ACRES OF THE HISTORICALLY IRRIGATED ACRES IN ORDER TO OFFSET EVAPORATION AND 20.39 ACRES FOR ONE CAPACITY FILL OF THE PONDS. NO CHANGES ARE PROPOSED FOR THE REMAINING IRRIGATION PLACE OF USE, THE POINT OF DIVERSION, OR THE PURPOSE.

**PUBLISHED IN:** BOZEMAN DAILY CHRONICLE ON AUGUST 18, 2021.